

RECEIVED
MAY 18 2020
BY MAIL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
DIVISION

Plaintiff(s), *Joy Nunley*

v. *Ferguson - Florissant
School District*

Defendant(s). (Enter above the full name(s)
of all defendants in this lawsuit. Please
attach additional sheets if necessary.)

)
Case No. _____
(to be assigned by Clerk of District Court)

)
JURY TRIAL DEMANDED

)
YES NO

EMPLOYMENT DISCRIMINATION COMPLAINT

1. This employment discrimination lawsuit is based on (check only those that apply):

— Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e, *et seq.*, for employment discrimination on the basis of race, color, religion, gender, or national origin.

NOTE: In order to bring suit in federal district court under Title VII, you must first obtain a right-to-sue letter from the Equal Employment Opportunity Commission.

— Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. §§ 621, *et seq.*, for employment discrimination on the basis of age (age 40 or older).

NOTE: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file charges with the Equal Employment Opportunity Commission.

Americans with Disabilities Act of 1990, as amended, 42 U.S.C. §§ 12101, *et seq.*, for employment discrimination on the basis of disability.

NOTE: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a right-to-sue letter from the Equal Employment Opportunity Commission.

Rehabilitation Act of 1973, as amended, 29 U.S.C. §§ 701, *et seq.*, for employment discrimination on the basis of a disability by an employer which constitutes a program or activity receiving federal financial assistance.

NOTE: *In order to bring suit in federal district court under the Rehabilitation Act of 1973, you must first file charges with the appropriate Equal Employment Office representative or agency.*

Other (Describe) Wrongfully Termination

PARTIES

2. Plaintiff's name: Joy Nunley

Plaintiff's address: 870 Loyola Dr.
Street address or P.O. Box
Florissant, Mo 63031
City/ County/ State/Zip Code
314-709-9192
Area code and telephone number

3. Defendant's name: Ferguson - Florissant School District

Defendant's address: 8855 Dunn Rd
Street address or P.O. Box
Hazelwood, Mo 63042
City/County/State/ Zip Code
314-687-1930
Area code and telephone number

NOTE: IF THERE ARE ADDITIONAL PLAINTIFFS OR DEFENDANTS, PLEASE PROVIDE THEIR NAMES, ADDRESSES AND TELEPHONE NUMBERS ON A SEPARATE SHEET OF PAPER.

4. If you are claiming that the discriminatory conduct occurred at a different location, please provide the following information:

(Street Address) (City/County) (State) (Zip Code)

5. When did the discrimination occur? Please give the date or time period:

ADMINISTRATIVE PROCEDURES

6. Did you file a charge of discrimination against the defendant(s) with the Missouri Commission on Human Rights?

Yes Date filed: _____

No

7. Did you file a charge of discrimination against the defendant(s) with the Equal Employment Opportunity Commission or other federal agency?

Yes Date filed: December 30, 2019

No

8. Have you received a Notice of Right-to-Sue Letter?

Yes No

If yes, please attach a copy of the letter to this complaint.

9. If you are claiming age discrimination, check one of the following:

_____ 60 days or more have passed since I filed my charge of age discrimination with the Equal Employment Opportunity Commission.

_____ fewer than 60 days have passed since I filed my charge of age discrimination with the Equal Employment Opportunity Commission.

NATURE OF THE CASE

10. The conduct complained of in this lawsuit involves (check only those that apply):

failure to hire me

termination of my employment

failure to promote me

failure to accommodate my disability

terms and conditions of my employment differ from those of similar employees

retaliation

harassment

other conduct (specify):

Did you complain about this same conduct in your charge of discrimination?

Yes

No

11. I believe that I was discriminated against because of my (check all that apply):

race

religion

national origin

color

gender

disability

age (birth year is: _____)

other:

Did you state the same reason(s) in your charge of discrimination?

Yes

No

12. State here, as briefly and clearly as possible, the essential facts of your claim. Describe specifically the conduct that you believe is discriminatory and describe how each defendant is involved in the conduct. Take time to organize your statement; you may use numbered paragraphs if you find it helpful. It is not necessary to make legal arguments, or to cite cases or statutes.

(Continue to page 6, if additional space is needed.)

13. The acts set forth in paragraph 12 of this complaint:

are still being committed by the defendant.

are no longer being committed by the defendant.

may still be being committed by the defendant.

REQUEST FOR RELIEF

State briefly and exactly what you want the Court to do for you. Make no legal arguments;
cite no cases or statutes. *I would like to know the truth for my termination, less wages paid to me, unemployment and legal actions taken against the defendant.*

14. Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 12th day of MAY, 2020.

Signature of Plaintiff Jay Nunley

On October 11, 2019 kitchen manager Karen Davis accused me of calling her a fat bitch in front of serving kids she said she read my lips and heard me and I have ten minutes. Less in ten minutes antonio adams food service director walk in . Karen called me to office she began yelling at me about not wearing hair net and gloves told her I always have them on she said I was not clocking in and out on time. She asked me about my relationship with a temp worker samuel Howard who was later transferred to another school. I told her I liked him so did the other ladies he was very helpful to us until he started threatening me and the other ladies I didn't like him anymore. I asked Karen what this have to do about the name you accuse me of calling you. She said she didn't care about our relationship and to respect her. I tried to say something antonio cut me off told me the district will be going in another direction and go back to work he closed door behind me to talk more with Karen. Minutes later antonio came out the office I was serving a few kids in line he walked over to angel burchett she was working the cash register talked to her and left. When I left work for the day walking to the bus stop antonio drove by me heading to the school.

On october 14, 2019 Antonio adams and pricilla urban ferguson-florissant school district secretary arrived at the school Karen called me to office antonio and pricilla said I was terminated. I wanted to explain I didn't call Karen the name she accused me of calling her they didn't listen to me. Pricilla said I should have been gone a long time ago antonio said I am not a good fit to work for ferguson florissant school district clear out my locker pricilla said she will contact my job coach to let him know I was terminated. Antonio and pricilla walk me out the door.

I called human resource department and spoke with Donna Troy saying I was wrongfully terminated could I explain what happened. She said submit it to her in writing and she was sending me my termination letter.

Fey Nunley